

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 1 and 10 are amended and claim 28 is newly added. Claims 1-18 and 28 remain pending in the case. Support for the amendments can be found at least on page 3 of the Specification. No new matter has been added. Reconsideration of the claims is respectfully requested.

Rejection under 35 U.S.C. § 112

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses the rejection, but in the interest of expediting prosecution has amended the claims as suggested by the Office Action and thus believes that the rejection are rendered moot.

Rejection under 35 U.S.C. § 103

On page three of the Office Action, Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yao (U.S. 5,578,976). Claims 1-14 and 16-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yao (U.S. 5,578,976) in view of Ruan et al. (U.S. 6,496,612). Applicant respectfully traverses these rejections.

As admitted by the Office Action, Yao fails to teach or suggest that the first and second microstrips and contact bridge have substantially the same impedance. However, according to the Office Action, it would have been obvious to one having ordinary skill in the art to create the contact bridge with substantially the same impedance as the microstrips. Applicant respectfully submits that the Examiner bears the burden of establishing a prima facie case of obviousness based upon the prior art. The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification. In re Gordon, 733 F.2d at 902, 221 USPQ at 1127. Applicant respectfully requests that the Examiner submit an affidavit as to the Examiner's personal knowledge or submit a prior art reference suggesting the desirability of modification.

Ruan fails to remedy the deficiencies of Yao as Ruan fails to teach or suggest that the first and second microstrips and contact bridge have substantially the same impedance. In sharp contrast, Ruan does not even disclose microstrips but merely discloses a device having contact pads (108, 110, 408, 508). Therefore, in view of the above remarks, Applicant's independent claims 1-2 and 15 are patentable over the cited references.

Because claims 28, 3-14 and 16-18, which depend directly or indirectly from claims 1, 2 and 15 respectively, include the features recited in the independent claims as well as additional features, Applicant respectfully submits that claims 3-14, 16-18 and 28 are also patentably distinct over the cited references. Nevertheless, Applicant is not conceding the correctness of the Office Action's rejection with respect to such dependent claims and reserve the right to make additional arguments if necessary.

In addition, with regards to claim 15, Applicant disagrees with the Office Action's assertion that "[i]t would have been obvious . . . to create the contact bridge and the microstrips with an impedance of 50 Ohms, since it has been held that discovering an optimum value of a result-effective variable involves only routine skill in the art."

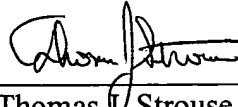
Applicant submits that "[a] particular parameter must first be recognized as a result-effective variable, i.e., a variable which achieves a recognized result, before the determination of the optimum or workable ranges of said variable might be characterized as routine experiment." *See* MPEP §2144.05 II. B. The cited art did not recognize that insertion loss and return loss for high-frequency signals is a function of the substantially similar impedance values for the first and second microstrips and contact bridge, and therefore the impedance parameter optimized was not recognized in the art to be a result-effective variable. Therefore, in view of the above remarks, Applicant's independent claim 15 is patentable over the cited references.

Conclusion

In view of the above, favorable reconsideration in the form of a notice of allowance is requested. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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Date



Thomas J. Strouse
Reg. No. 53,950
Merchant & Gould P.C.
P. O. Box 2903
Minneapolis, MN 55402-0903
(612) 332-5300

TJS:kf

